



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

Eric J. Holcomb  
Governor

Bruno L. Pigott  
Commissioner

APR 28 2017

VIA CERTIFIED MAIL: 7004 1160 0004 6517 9115 VIA CERTIFIED MAIL: 7004 1160 0004 6517 9108

Tomiyuki Murayama, President  
INTAT Precision, Inc.  
2148 N. State Road 3  
Rushville, IN 46173

Prentice-Hall Corporation System, Inc.,  
Registered Agent  
135 N. Pennsylvania St., Suite 1610  
Indianapolis, IN 46204

Re: Notice of Violation and Proposed Agreed Order  
INTAT Precision, Inc.  
139-00011  
Rushville, Rush County  
Case No. 2017-24262-A

**Qualified offer of settlement: inadmissible pursuant to Rule 408 of the Ind. Rules of Evidence. IDEM asserts that any offer to compromise a claim or any acceptance of such offer does not bind or obligate the parties of this enforcement action in the absence of a final order of the agency.**

Dear Mr. Murayama:

This is to advise that the Indiana Department of Environmental Management (IDEM) has conducted an investigation of INTAT Precision, Inc. located at 2148 N. State Road 3, in Rushville, Indiana. As a result of information obtained during that investigation, IDEM has made a preliminary determination that violations of air pollution laws and permit exist. Pursuant to IC 13-30-3-3, enclosed please find a Notice of Violation that sets forth the alleged violations, and a proposed Agreed Order which constitutes a qualified offer of settlement.

You may request a settlement conference to discuss the allegations and the actions necessary to correct and resolve the violations, which may include injunctive relief and the establishment of a compliance schedule. Payment of a civil penalty will also be discussed. The civil penalty amount noted in the proposed Agreed Order contains a preliminary penalty figure for settlement discussion purposes only and is based on penalty calculations associated with the alleged violations set forth in the Notice of Violation. A portion of the civil penalty may be offset by performing an approved Supplemental Environmental Project (SEP). Typical SEPs have included pollution prevention, pollution control, and environmental restoration projects. A copy of IDEM's SEP policy may be obtained from this office or at IDEM's website at [www.IN.gov/idem](http://www.IN.gov/idem).



The individual signing the enclosed Agreed Order should be the President of the company or other authorized signatory. The timely entry into an Agreed Order, which saves you and IDEM time and resources, may lead to a reduction in the civil penalty.

IDEM is not required to extend the offer of entry into an Agreed Order for more than sixty days. You may enter into an Agreed Order without admitting that the violations occurred. If an Agreed Order is not entered into, IDEM may proceed to issue a unilateral notice and order requiring compliance with the environmental laws and permit, including payment of a civil penalty. Please contact me at (317)232-8408 or e-mail [mchaifet@idem.IN.gov](mailto:mchaifet@idem.IN.gov), if you have any questions or if you wish to request a settlement conference.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Chaifetz', with a stylized, sweeping flourish at the end.

Matthew Chaifetz  
Senior Enforcement Manager  
Enforcement Section  
Office of Air Quality

Enclosures

cc: Brad Rist, VP Operations, via electronic delivery  
Rochelle Marceillars, US EPA Region 5  
Wyman Clark, Compliance & Enforcement Branch, OAQ, via electronic delivery  
Matthew Chaifetz, Compliance & Enforcement Branch, OAQ, via electronic delivery  
<http://www.IN.gov/ide>m



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Eric J. Holcomb  
Governor

**APR 28 2017**

Bruno L. Pigott  
Commissioner

## NOTICE OF VIOLATION

*Via Certified Mail*

No.: 7004 1160 0004 6517 9115

*Via Certified Mail No.:* 7004 1160 0004 6517 9108

To: Tomiyuki Murayama, President  
INTAT Precision, Inc.  
2148 N. State Road 3  
Rushville, IN 46173

To: Prentice-Hall Corporation System, Inc.,  
Registered Agent  
135 N. Pennsylvania St., Suite 1610  
Indianapolis, IN 46204

Case No. 2017-24262-A

Based on an investigation on January 11, 2017, the Indiana Department of Environmental Management ("IDEM") has reason to believe that INTAT Precision, Inc. ("Respondent") has violated environmental rules and permit. The violations are based on the following:

1. Respondent owns and operates a stationary gray and ductile iron foundry with Plant I.D. No. 139-00011 located at 2148 State Road 3 in Rushville, Rush County, Indiana (the "Site").
2. Pursuant to Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.2.14 (condition D.2.13 in Part 70 Permit No. 139-35965-00011 issued October 27, 2015), Permittee shall record the pressure drop across baghouses DC-3A, DC-3B, BH6400, BH6200, DC-7, DC-8, and DC-13, at least once per day when the units are in operation.

Respondent recorded pressure drop across DC-13 when unit was not operating from January 1, 2016 through December 31, 2016, in violation of Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.2.14 (condition D.2.13 in Part 70 Permit No. 139-35965-00011 issued October 27, 2015).

3. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.2.17, quarterly summary of the information to document compliance status with condition D.2.5(b), shall be submitted to demonstrate CO emissions from Pouring station (PB13B), Cooling line (P4B), Shakeout unit (P16B), Bad Heat Shakeout unit combined shall not exceed 98.75 tons per twelve consecutive month



period.

Respondent failed to submit quarterly summaries to document compliance with condition D.2.5(b) for all 4 quarters of 2016, in violation of Part 70 Permit No. 139-35965-00011, condition D.2.17.

4. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition C.13, Permittee shall take reasonable response steps to restore operation of the emissions unit to its normal or usual manner of operation.

Records indicated that pressure drop across DC-5 was below the permitted range for the month of January 2016 without response steps being noted, in violation of Part 70 Permit No. 139-35965-00011, condition C.13.

5. Pursuant to Part 70 Permit No. 139-36382-00011, issued to Respondent on January 15, 2016, condition D.3.5, requires testing to demonstrate compliance with PM, PM10, VOC and CO limits. Testing to be repeated at least once every five years from the date of the valid compliance demonstration.

Respondent failed to conduct PM & PM10 testing within five years of the last valid compliance demonstration for BH6020, BH6040 and FF AAF control units, in violation of Part 70 Permit No. 139-36382-00011, condition D.3.5.

Respondent failed to conduct VOC and CO testing within five years of the last valid compliance demonstration for the Melting (1110), Inoculation (1150), Pouring (2000), the Casting conveyor & Cooling Conveyor system (2015 and 2020), and the Casting Shakeout system (3010), in violation of Part 70 Permit No. 139-36382-00011, condition D.3.5.

6. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition C.7(c), requires all test reports be received by IDEM, OAQ not later than forty-five (45) days after completion of testing.

Respondent failed to timely submit stack test reports for BH6020, BH6030, BH6040, FF AAF, the Melting (1110), Inoculation (1150), Pouring (2000), the Casting conveyor & Cooling Conveyor system (2015 and 2020), and the Casting Shakeout system (3010), in violation of Part 70 Permit No. 139-35965-00011, condition C.7(c).

7. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.3.9, Permittee shall maintain a daily

record of the pressure drop across each of the baghouses and fabric filters.

Respondent did not take pressure drop measurements for the FF AAF, DC#1 and DC#4 baghouses from January 1, 2016 through December 31, 2016, in violation of Part 70 Permit No. 139-35965-00011, condition D.3.9.

8. Pursuant to Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.5.2, the owner or operator of a cold cleaner degreaser shall ensure the requirements of 326 IAC 8-3-2 are met, specifically provide a permanent, conspicuous label that lists the operating requirements.

Respondent failed to have a permanent, conspicuous label affixed to its cold cleaner degreaser, in violation of Part 70 Permit No. 139-37486-00011 ("Permit"), condition D.5.2 and 326 IAC 8-3-2.

9. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.6.6, to document compliance with condition D.6.5, the Permittee shall maintain a daily record of visible emission notations for the Sprue blast and Die quench blast operation stack exhaust from Stacks SB-1 and DQ-1.

Respondent failed to maintained visible emission notation records from January 1, 2016 through December 31, 2016 for the Die Quench stack exhaust DQ-1, in violation of Part 70 Permit No. 139-35965-00011, condition D.6.6.

In accordance with IC 13-30-3-3, the Commissioner herein provides notice that violations may exist and offers an opportunity to enter into an Agreed Order providing for the actions required to correct the violations and, as necessary and appropriate, for the payment of a civil penalty. The Commissioner is not required to extend this offer for more than sixty (60) days.

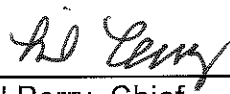
As provided in IC 13-30-3-3, an alleged violator may enter into an Agreed Order without admitting that the violations occurred. IDEM encourages settlement by Agreed Order, thereby resulting in quicker correction of the environmental violations and avoidance of extensive litigation. Timely settlement by Agreed Order may result in a reduced civil penalty. Also, settlement discussions will allow the opportunity to present any mitigating factors that may be relevant to the violations.

If an Agreed Order is not entered into within sixty (60) days of receipt of this Notice of Violation, the Commissioner may issue a Notice and Order under IC 13-30-3-4 containing the actions that must be taken to correct the violation[s] and requiring the payment of an appropriate civil penalty. Pursuant to IC 13-30-4-1, the Commissioner may assess penalties of up to \$25,000 per day for each violation.

Please contact Matthew Chaifetz at (317)232-8408 or [mchaifet@idem.IN.gov](mailto:mchaifet@idem.IN.gov) within fifteen (15) days after receipt of this Notice to discuss resolution of this matter.

For the Commissioner:

Date: 4/27/17

  
\_\_\_\_\_  
Phil Perry, Chief  
Compliance and Enforcement Branch  
Office of Air Quality

cc: Brad Rist, VP Operations, via electronic delivery  
Rochelle Marceillars, US EPA Region 5  
Rush County Health Department  
Matthew Chaifetz, Compliance and Enforcement Branch, OAQ  
<http://www.in.gov/idem/enforcement/>



4. Pursuant to IC 13-30-3-3, IDEM issued a Notice of Violation ("NOV") on via Certified Mail to:

Tomiyuki Murayama, President	Prentice-Hall Corporation System, Inc.,
INTAT Precision, Inc.	Registered Agent
2148 N. State Road 3	135 N. Pennsylvania St., Suite 1610
Rushville, IN 46173	Indianapolis, IN 46204

5. During an inspection on January 11, 2017, conducted by a representative of IDEM, the following violations were found:

- a. Pursuant to Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.2.14 (condition D.2.13 in Part 70 Permit No. 139-35965-00011 issued October 27, 2015), Permittee shall record the pressure drop across baghouses DC-3A, DC-3B, BH6400, BH6200, DC-7, DC-8, and DC-13, at least once per day when the units are in operation.

Respondent recorded pressure drop across DC-13 when unit was not operating from January 1, 2016 through December 31, 2016, in violation of Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.2.14 (condition D.2.13 in Part 70 Permit No. 139-35965-00011 issued October 27, 2015).

- b. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.2.17, a quarterly summary of the information to document compliance status with condition D.2.5(b) shall be submitted to demonstrate, CO emissions from Pouring station (PB13B), Cooling line (P4B), Shakeout unit (P16B), Bad Heat Shakeout unit combined shall not exceed 98.75 tons per twelve consecutive month period.

Respondent failed to submit quarterly summaries to document compliance with condition D.2.5(b) for all 4 quarters of 2016, in violation of Part 70 Permit No. 139-35965-00011, condition D.2.17.

- c. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition C.13, Permittee shall take reasonable response steps to restore operation of the emissions unit to its normal or usual manner of operation.

Records indicated that pressure drop across DC-5 was below the permitted range for the month of January 2016 without response steps being noted, in violation of Part 70 Permit No. 139-35965-00011, condition C.13.

- d. Pursuant to Part 70 Permit No. 139-36382-00011, issued to Respondent on January 15, 2016, condition D.3.5, requires testing to demonstrate



compliance with PM, PM10, VOC and CO limits. Testing to be repeated at least once every five years from the date of the valid compliance demonstration.

Respondent failed to conduct PM & PM10 testing within five years of the last valid compliance demonstration for BH6020, BH6040 and FF AAF control units, in violation of Part 70 Permit No. 139-36382-00011, condition D.3.5.

Respondent failed to conduct VOC and CO testing within five years of the last valid compliance demonstration for the Melting (1110), Inoculation (1150), Pouring (2000), the Casting conveyor & Cooling Conveyor system (2015 and 2020), and the Casting Shakeout system (3010), in violation of Part 70 Permit No. 139-36382-00011, condition D.3.5.

- e. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition C.7(c), requires all test reports be received by IDEM, OAQ not later than forty-five (45) days after completion of testing.

Respondent failed to timely submit stack test reports for BH6020, BH6030, BH6040, FF AAF, the Melting (1110), Inoculation (1150), Pouring (2000), the Casting conveyor & Cooling Conveyor system (2015 and 2020), and the Casting Shakeout system (3010), in violation of Part 70 Permit No. 139-35965-00011, condition C.7(c).

- f. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.3.9, Permittee shall maintain a daily record of the pressure drop across each of the baghouses and fabric filters.

Respondent did not take pressure drop measurements for the FF AAF, DC#1 and DC#4 baghouses from January 1, 2016 through December 31, 2016, in violation of Part 70 Permit No. 139-35965-00011, condition D.3.9.

- g. Pursuant to Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.5.2, the owner or operator of a cold cleaner degreaser shall ensure the requirements of 326 IAC 8-3-2 are met, specifically provide a permanent, conspicuous label that lists the operating requirements.

Respondent failed to have a permanent, conspicuous label affixed to its cold cleaner degreaser, in violation of Part 70 Permit No. 139-37486-00011 ("Permit"), condition D.5.2 and 326 IAC 8-3-2.

- h. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.6.6, to document compliance with condition D.6.5, the Permittee shall maintain a daily record of visible

emission notations for the Sprue blast and Die quench blast operation stack exhaust from Stacks SB-1 and DQ-1.

Respondent failed to maintained visible emission notation records from January 1, 2016 through December 31, 2016 for the Die Quench stack exhaust DQ-1, in violation of Part 70 Permit No. 139-35965-00011, condition D.6.6.

6. The late stack tests cited in "5.d." above were conducted in September and October 2016, the corresponding late stack test reports cited in "5.e." above have been submitted to IDEM.
7. On February 24, 2017, Respondent provided information indicating that records are maintained to provide ability to calculate CO emissions as cited in "5.b." above. Respondent will report quarterly.
8. On February 24, 2017, Respondent provided information on how it modified procedures for the capturing and maintaining of visible emission notations and pressure drops during equipment operation.
9. In recognition of the settlement reached, Respondent waives any right to administrative and judicial review of this Agreed Order.

## **II. ORDER**

1. This Agreed Order shall be effective ("Effective Date") when it is approved by Complainant or Complainant's delegate, and has been received by Respondent. This Agreed Order shall have no force or effect until the Effective Date.
2. Respondent shall comply with Part 70 Permit 139-37486-00011, issued to Respondent December 7, 2016, unless superseded by a permit modification or renewal.
3. Within forty-five (45) days of the Effective Date, Respondent shall submit a permit application to correctly identify the grinder/dust collector arrangement(s) in the GSI building.
4. All submittals required by this Agreed Order, unless Respondent is notified otherwise in writing by IDEM, shall be sent to:

Matthew Chaifetz, Compliance and Enforcement Manager  
Compliance and Enforcement Branch – Mail Code 61-53  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, IN 46204-2251

5. Respondent is assessed and agrees to pay a civil penalty of Thirty Two Thousand Dollars (\$32,000.00). Said penalty amount shall be due and payable to the Environmental Management Special Fund within thirty (30) days of the Effective Date; the 30<sup>th</sup> day being the "Due Date".
6. In the event the terms and conditions of the following paragraphs are violated, Complainant may assess and Respondent shall pay a stipulated penalty in the following amount:

<u>Paragraph</u>	<u>Violation</u>	<u>Stipulated Penalty</u>
3	Failure to submit permit application	\$250 per week or part thereof

7. Stipulated penalties shall be due and payable no later than the 30<sup>th</sup> day after Respondent receives written notice that Complainant has determined a stipulated penalty is due; the 30<sup>th</sup> day being the "Due Date". Complainant may notify Respondent at any time that a stipulated penalty is due. Failure to notify Respondent in writing in a timely manner of a stipulated penalty assessment shall not waive Complainant's right to collect such stipulated penalty or preclude Complainant from seeking additional relief against Respondent for violation of this Agreed Order. Neither assessment nor payment of stipulated penalties shall preclude Complainant from seeking additional relief against Respondent for a violation of this Agreed Order; such additional relief includes any remedies or sanctions available pursuant to Indiana law, including, but not limited to, civil penalties pursuant to IC 13-30-4.
8. Civil and stipulated penalties are payable by check to the "Environmental Management Special Fund." Checks shall include the Case Number of this action and shall be mailed to:  
  
IDEM Office of Legal Counsel  
IGCN, Rm N1307  
100 N Senate Ave  
Indianapolis, IN 46204
9. This Agreed Order shall apply to and be binding upon Respondent and its successors and assigns Respondent's signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party he/she/they represent. No change in ownership, corporate, or partnership status of Respondent shall in any way alter its status or responsibilities under this Agreed Order.
10. In the event that the monies due to IDEM pursuant to this Agreed Order are not paid on or before their Due Date, Respondent shall pay interest on the unpaid balance at the rate established by IC 24-4.6-1. The interest shall be computed as having accrued from the Due Date until the date that Respondent pays any unpaid balance. Such interest shall be payable to the Environmental

Management Special Fund [or Asbestos Trust Fund], and shall be payable to IDEM in the manner specified in Paragraph 8, above.

11. In the event that any terms of this Agreed Order are found to be invalid, the remaining terms shall remain in full force and effect and shall be construed and enforced as if this Agreed Order did not contain the invalid terms.
12. Respondent shall provide a copy of this Agreed Order, if in force, to any subsequent owners or successors before ownership rights are transferred. Respondent shall ensure that all contractors, firms and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.
13. This Agreed Order is not and shall not be interpreted to be a permit or a modification of an existing permit. This Agreed Order, and IDEM's review or approval of any submittal made by Respondent pursuant to this Agreed Order, shall not in any way relieve Respondent of its obligation to comply with the requirements of its applicable permit or any applicable Federal or State law or regulation.
14. Complainant does not, by its approval of this Agreed Order, warrant or aver in any manner that Respondent's compliance with any aspect of this Agreed Order will result in compliance with the provisions of any permit, order, or any applicable Federal or State law or regulation. Additionally, IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of Respondent's efforts to comply with this Agreed Order.
15. Nothing in this Agreed Order shall prevent or limit IDEM's rights to obtain penalties or injunctive relief under any applicable Federal or State law or regulation, except that IDEM may not, and hereby waives its right to, seek additional civil penalties for the same violations specified in the NOV.
16. Nothing in this Agreed Order shall prevent IDEM or anyone acting on its behalf from communicating with the EPA or any other agency or entity about any matters relating to this enforcement action. IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of such communications with the EPA or any other agency or entity.
17. This Agreed Order shall remain in effect until IDEM issues a Resolution of Case letter to Respondent.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

TECHNICAL RECOMMENDATION:  
Department of Environmental  
Management

By: David P. McIver  
David P. McIver, Chief  
Enforcement Section  
Office of Air Quality

Date: 4-11-17

RESPONDENT:  
INTAT Precision, Inc.

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

COUNSEL FOR RESPONDENT:

By: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AND ADOPTED BY THE INDIANA DEPARTMENT OF  
ENVIRONMENTAL  
MANAGEMENT \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_  
THIS

For the Commissioner:

By: \_\_\_\_\_  
Keith Baugues, Assistant Commissioner  
Office of Air Quality  
Indiana Department of Environmental  
Management

